

REFERENCE TITLE: TANF; benefits; unwed minor parents

State of Arizona
House of Representatives
Forty-seventh Legislature
Second Regular Session
2006

HB 2692

Introduced by

Representatives Hershberger, Chase, Lopez L, O'Halleran: Burns J

AN ACT

AMENDING SECTION 46-296, ARIZONA REVISED STATUTES; RELATING TO TEMPORARY ASSISTANCE FOR NEEDY FAMILIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 46-296, Arizona Revised Statutes, is amended to
3 read:

4 **46-296. Eligibility for assistance: unwed minor parents**

5 A. Except as provided in subsection B, an assistance unit headed by an
6 unmarried person under eighteen years of age is not eligible for assistance
7 benefits.

8 B. Subsection A does not apply to unwed minor parents in any of the
9 following situations:

10 1. The applicant has no living or locatable parent, other legally
11 responsible adult relative or legal guardian.

12 2. THE APPLICANT HAS A LIVING OR LOCATABLE PARENT, OTHER LEGALLY
13 RESPONSIBLE ADULT RELATIVE OR LEGAL GUARDIAN BUT NONE OF THESE INDIVIDUALS
14 ALLOWS THE APPLICANT TO LIVE IN THE HOME OF THE INDIVIDUAL.

15 2. 3. The applicant is a legally emancipated person. For THE
16 purposes of this paragraph, "emancipated person" means a person who, under
17 the laws of this state, is neither under a legal duty of service to a parent
18 or parents, other adult relative or legal guardian nor entitled to the
19 support of a parent or parents, other adult relative or legal guardian. The
20 department shall adopt rules prescribing relatives who can be considered as
21 an "other adult relative".

22 3. 4. On submission of an applicant's statement of abuse or neglect,
23 the department determines that there is sufficient evidence that the health
24 or safety of the applicant or the applicant's dependent child or children
25 would be jeopardized if the applicant or dependent child or children resided
26 with the applicant's parent, other legally responsible adult relative or
27 legal guardian.

28 4. 5. The unwed minor parent and his child or children reside with
29 the minor's parent or parents, other adult relative or legal guardian who
30 either has eligible children or is determined needy by the department. The
31 department shall use the following guidelines when determining eligibility
32 pursuant to this paragraph:

33 (a) In the case of the minor's parent or parents, other adult relative
34 or legal guardian with eligible children, the department shall combine all
35 eligible children in one assistance unit and grant. The minor parent's
36 parent or parents, other adult relative or legal guardian shall be the
37 applicant and payee for the assistance grant.

38 (b) For purposes of determining whether the minor's parent or parents,
39 other adult relative or legal guardian is needy, the department, by rule,
40 shall adopt a screening tool with income criteria not exceeding those used to
41 determine eligibility for assistance benefits. If the department determines
42 the household to be needy, the unwed minor parent shall be considered an
43 eligible applicant for assistance benefits.

44 C. Nothing in this section shall be construed to prevent an otherwise
45 eligible person who is not eligible for cash assistance benefits pursuant to

1 subsection A from being eligible to receive covered medical services under
2 title 36, chapter 29 or any other services that are directly linked to
3 eligibility for the temporary assistance for needy families program.

4 D. Any attempt by a minor applicant for assistance benefits to
5 knowingly misrepresent information in a manner that is designed to subvert
6 the requirements of subsection B constitutes fraud, and the department shall
7 report the person to the appropriate authorities. The department also shall
8 report to the appropriate authorities any evidence of abuse or neglect the
9 department obtains while making a finding pursuant to subsection B, paragraph
10 3 regarding the health or safety of an unwed minor parent or the unwed minor
11 parent's dependent child or children.

12 E. In implementing any provision under this title regarding limiting
13 benefits for additional children, the department, only for the purposes of
14 attempting to assign a birth to a specific assistance unit, shall consider as
15 separate assistance units the combined household referenced in subsection B,
16 paragraph 4.